

UPDATE ON EU DEVELOPMENTS

NEW AMBIENT AIR QUALITY DIRECTIVE

- The new air quality directive will consolidate and add to existing air quality legislation. The Common Position is currently subject to second reading by the European Parliament.
- The Common Position recognises the challenging nature of EU limit values for PM₁₀ by providing for the possibility of an extended deadline by which to comply with the EU limit values. It also includes new limit and target values for even finer particulate matter, known as PM_{2.5} which is more strongly associated with reduction in life expectancy. We are particularly pleased with the introduction of the exposure reduction concept (the so-called 'cap and gap closure' approach) which ensures benefits are not focused solely at a few pollution hotspots, but instead drive benefits everywhere. In this way, it will result in an overall net improvement in public health protection.
- The draft report of the European Parliament's Environment Committee was circulated to the AQF for information. The Committee vote is 9 October. The plenary vote is in December. Negotiations are in progress between the Parliament the Council and the Commission. All parties are keen to reach agreement to avoid lengthy conciliation process. Key issues under discussion are the PM 2.5 limit value (which the EP are looking to tighten) and compliance flexibility (the EP support additional time for PM10 and also want flexibility applied to PM2.5)
- Once adopted, the UK will work on transposing regulations and consideration of use of the compliance flexibilities in relation to meeting limit values. These will be subject to consultation.

NATIONAL EMISSIONS CEILING DIRECTIVE REVIEW

- A Commission proposal setting emission ceilings for 2020 is expected spring in 2008. It will be co-ordinated with action to set greenhouse gas (GHG) emission reduction targets following the spring Council agreement – a move proactively supported by the UK.
- Discussions so far have been confined to expert groups. Member States, including the UK are concerned about the robustness of the energy projections used by the Commission so far. The UK has been pressing the Commission to use national projections in their modelling as well as those generated by PRIMES. It is not clear that the Commission will consult any further on the modelling underpinning their proposal. Previous modelling has produced figures that would be challenging for the UK if they were to be adopted as legally binding ceilings.

CONSULTATION ON PLANS / PROGRAMMES TO MEET LIMIT VALUES IN RELATION TO EXCEEDENCES IN 2005

- Defra published this UK consultation in August. Responses are due 7 November. Where limit values plus margins of tolerance where applicable, are exceeded, a MS must produce plans and programmes to ensure compliance within the required timescale. Plans and programmes must be submitted no later than 2 years after the end of the year during which exceedences were observed. The plans/programmes represent existing government policies and in particular draw on the new AQS.

2005 AIR QUALITY EXCEEDENCES REPORTED TO THE COMMISSION

- There has been media attention around the reported exceedences of sulphur dioxide (SO₂) limit values. This is a localised issue concerning a brickworks in Bedfordshire, and the situation is being managed effectively by the Environment Agency. We understand that the Commission wrote to 5 Member States including the UK concerning SO₂ exceedences.

CONSULTATION ON A LICENSING SCHEME FOR THE SALE AND PURCHASE OF NON-COMPLIANT PAINTS FOR USE ON HISTORIC BUILDINGS AND VINTAGE VEHICLES

- A public consultation was launched on 19 September. Responses due by 12 December. We need to discuss issues in relation to detailed guidance etc. with LACORS.

AQD
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